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PATENT COOPERATION TREATY

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PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 16 APR 2004

WIPO PCT

Applicant's or agent's file reference WO1514HGT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/JP 03/03582	International filing date (day/month/year) 25.03.2003	Priority date (day/month/year) 26.03.2002
International Patent Classification (IPC) or both national classification and IPC B29C44/18, B29C44/18		
Applicant HONDA GIKEN KOGYO KABUSHIKI KAISHA		



1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 1 sheets.

3. This report contains indications relating to the following items:

I ☒ Basis of the opinion
II ☐ Priority
III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
IV ☐ Lack of unity of invention
V ☒ Reasoned statement under Rule 66.2(a)(II) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
VI ☐ Certain documents cited
VII ☐ Certain defects in the international application
VIII ☐ Certain observations on the international application

Date of submission of the demand 10.10.2003	Date of completion of this report 15.04.2004
Name and mailing address of the International preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Pipping, L Telephone No. +31 70 340-3430 

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International application No. PCT/JP 03/03582

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-18 as originally filed

Claims, Numbers

4 (part) as originally filed

1, 3, 4 (part) received on 22.03.2004 with letter of 17.03.2004

Drawings, Sheets

1/11-11/11 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
 - ☐ the language of publication of the international application (under Rule 48.3(b)).
 - ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority in written form.
 - ☐ furnished subsequently to this Authority in computer readable form.
 - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☒ the claims, Nos.: 2
- ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	3
	No: Claims	1, 4
Inventive step (IS)	Yes: Claims	
	No: Claims	1, 3, 4
Industrial applicability (IA)	Yes: Claims	1, 3, 4
	No: Claims	

2. Citations and explanations

see separate sheet

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Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1.1 Reference is made to the following documents:

D1: EP-A-0 341 330

D2: EP-A-0 566 367

2. In respect of Article 6 PCT the following is observed.

2.1 Claim 1 is unclear because the constitution of the "first granules" is not specified, which leads to doubt concerning the matter for which protection is sought, thereby rendering the subject-matter of said claim unclear.

2.2 There seems to be an obvious omission in claim 1. The first word of line 21 should most likely be "granular".

3. Document D1 which is considered to represent the most relevant state of the art discloses, cf. column 9, line 43-54, a method for forming a solidified granular material (10) with granules bonded into a solid form, in a space within a frame member (12) and/or a space enclosed by said frame member and a surrounding panel member, said method comprising the steps of: mixing first granules (15) and second granules together, each of said second granules having a thermoplastic resin shell enclosing a solid or liquid which expands by vaporization, charging the mixture of said first and second granules into said frame member; and heating said first granules and said second granules together with said frame member so as to soften said second granules and make the same expand by internal pressures, as well as to melt surfaces of said second granules for bonding with said first granules and cooling said first granules and said second granules together with said frame member to thereby provide the solid granular material comprised of said first granules and said second granules being more collapsible than said first granules.

Therefore claim 1 is deprived of novelty and does not fulfill the requirements of Article 33(2) PCT.

4. Dependent claims 3 and 4 do not seem to contain any features which, in

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combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, because the features of claim 4 are known from D1, cf. column 7, line 50-column 8, 3rd line. The features of claim 3 are known from D2, cf. page 3, 1st paragraph.

5. Contrary to the requirements of Rule 5.1 a) ii) PCT, the relevant background art disclosed in document D1 is not identified in the description, nor is the document identified therein.
6. The description is not in conformity with the claims as required by Rule 5.1(a)(iii) PCT.

22. 03. 2004

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CLAIMS

(83)

1. A method for forming a solidified granular material (15) with granules bonded into a solid form, in a space within a frame member (11) and/or a space enclosed by said frame member and a surrounding panel member, said method comprising the steps of:

mixing first granules (16) and second granules (17) together, each of said second granules having a thermoplastic resin shell (17c) enclosing a solid or liquid (17b) which expands by vaporization;

charging the mixture of said first and second granules into said frame member;

heating said first granules and said second granules together with said frame member so as to soften said second granules and make the same expand by internal pressures and become hollow, as well as to melt surfaces of said second granules for bonding with said first granules; and

cooling said first granules and said second granules together with said frame member to thereby provide the solid granular material comprised of said first granules and said second being more collapsible than said first granules.

2. (canceled)

3. A method as set forth in claim 1, wherein said solid or liquid (17b) which expands by vaporization comprises a hydrocarbon of low boiling point.

4. A method as set forth in claim 1, wherein said charging of the